

**TOWN OF GRANBY
PLANNING AND ZONING COMMISSION
APRIL 22, 2014
MINUTES**

PRESENT: Paula Johnson, Chairwoman, Margaret Chapple, Charles Kraiza, Mark Lockwood, Eric Lukingbeal, James Sansone and Linda Spevacek. Also present was Francis Armentano, Director of Community Development.

The meeting opened at 7:02 p.m.

PUBLIC SESSION:

Michelle Neidermeyer, Lost Acres Vineyard, read a prepared statement that was in response to previous comments from Carole Day, presented at the April 8, 2014 meeting by Attorney Mark Branse.

Attorney Mark Branse, representing Carole Day, further commented and discussed concerns related to the Lost Acres Vineyard.

Carole Day, 96 Lost Acres Road, noted that she supported the original approval of the vineyard but was concerned about the future use.

John Jenkins, 62 Lost Acres Road, commented on the Lost Acres Vineyard and expressed concerns.

ACTION OF MINUTES:

ON A MOTION by James Sansone, seconded by Mark Lockwood, the Commission voted to approve the minutes of April 8, 2014. All approved. Margaret Chapple abstained.

PUBLIC HEARINGS:

The public hearing for an application seeking a Special Permit for the sale of alcoholic beverages for Jake's Wayback Burgers Restaurant, 10 Hartford Avenue, File Z-6-14 opened at 7:30 p.m. The applicant was not in attendance at this time.

The public hearing for an application seeking a Special Permit for an accessory apartment for property located at 37 Wolcott Drive, File Z-7-14 opened at 7:31 p.m. Judy Guarco, Real Estate Agent, representing Mary Ann and Donald Nesto, explained that there has been an in-law apartment in this home since 1983. At that time, the Building Department approved a variety of building permits for an addition to the house, including work related to the installation of a washer, dryer, range and dishwasher. However, a Certificate of Occupancy was never issued for the addition. The applicant seeks to have the addition approved as an Accessory Apartment under Section 8.5 of the Zoning regulations. The proposed Accessory Apartment contains 576 square feet and is in compliance with the regulations. Frank DelNegro, a neighbor, supported the application, provided the accessory apartment was used as an in-law apartment. He opposed the use as an apartment, which could be rented. The public hearing closed at 7:54 p.m.

NEW BUSINESS:

The public hearing for an application seeking a Zone Change for property located at 68 Quarry Road, 1.57 acres from R50 to R30, File Z-5-14 is scheduled for May 13, 2014. Notification signs have been posted on the property as required.

The public hearing for an application seeking a Special Permit for the sale of alcoholic beverages for Jake's Wayback Burgers Restaurant, 10 Hartford Avenue, File Z-6-14 is continued to May 13 2014.

The Commission held a discussion concerning the Lost Acres Vineyard site plan and use. The consensus of the Commission members was that since there was no formal application before them, they were not prepared to address the various circumstances and opinions expressed during the Public Sessions. Eric Lukingbeal recommended that the parties attempt to resolve any issues that they may have, between themselves. He felt that working together as reasonable and respectful neighbors, they could reach an understanding and agreement of the activities. It was noted that discussions might take several sessions and that perhaps a professional mediator could help resolve the issues. The Commission members appeared to agree that the neighbors should make their best effort to work out their differences before seeking a regulatory determination of this matter. If zoning violations are alleged, the complaints can be made to the Zoning Enforcement Officer.

RECEIVE APPLICATION:

The Commission received an application for a modification to the site plan approved for 7 Mill Pond Drive, regarding the design of the existing drive-thru window lane and the size and location of the window. File Z-8-14

STAFF REPORTS:

Chairwoman Johnson reported on the public session that was held by the Plan of Conservation and Development Subcommittee. She noted there were a lot of good suggestions and more public meetings will be held.

Fran reported that the East Granby Planning and Zoning Commission will consider a subdivision with access off of Petersen Road in Granby. The Town has received a request for a driveway permit which will serve 2 new lots. The applicant has signed an agreement stating that the driveway will not serve more than the 2 proposed lots.

Fran noted the case of Granby Zoning Board of Appeals vs. Cavaciuti is scheduled for judicial reviewed in May. He referenced the Regional Natural Hazard Mitigation Plan and the relationship to the Town's application for FEMA funding for an emergency shelter. The Commission was advised that Margaret Chapple is now the Town's Regional Planning

Commission representative. Fran also noted Gatehouse subdivision sales and fee in lieu of open space payments and security agreement releases.

COMMISSION DISCUSSION OF ITEMS OF INTEREST OR CONCERN:

Fran reported on the upcoming paving/completion of Salmon Brook Street and Mountain Road. Activities of the Housing Rehabilitation program were mentioned, as was the pending activities of the Excavation Subcommittee.

CONSIDERATION OF APPLICATION SEEKING A SPECIAL PERMIT:

ON A MOTION BY Margaret Chapple, seconded by Mark Lockwood, the Commission voted to approve an application for a Special Permit for an accessory apartment for property located at 37 Wolcott Drive, File Z-7-14 with the following conditions:

No more than 4 cars may be parked at any one time overnight on the property.

The motion includes a waiver of the filing requirements of Section 4.1.3. All approved. James Sansone abstained.

The meeting adjourned at 8:26 p.m.

Respectfully submitted,

Dorcus S. Forsyth
Recording Secretary